



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/482,032	01/13/2000	David Stanley Bull	043474/258310	6471

79901 7590 07/10/2008

Alston & Bird LLP
Bank of America Plaza
101 South Tryon Street
Suite 4000
Charlotte, NC 28280-4000

EXAMINER

KALINOWSKI, ALEXANDER G

ART UNIT	PAPER NUMBER
----------	--------------

3691

MAIL DATE	DELIVERY MODE
-----------	---------------

07/10/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/482,032	Applicant(s) BULL ET AL.	
	Examiner ALEXANDER KALINOWSKI	Art Unit 3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 33-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 33-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 33-56 are presented for examination. Claims 33-56 are presented for examination. Applicant further filed a request for reconsideration on 4/11/2005. In light of Applicant's arguments, the Examiner withdraws the grounds of rejection of claims 33-56 based on 35 USC 103. New grounds of rejection of claims 33-56 based on 35 USC 102 are established in the instant office action as set forth in detail below.

Response to Arguments

Applicant's arguments with respect to claims 33-56 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 33-56 are rejected under 35 U.S.C. 102(e) as being anticipated by Damico et al., Pat. No. 5,819,285 (hereinafter Damico).

As to claims 33, 35, 37, 39, 41-45, 47, 49, 51, and 53-56, Damico discloses a method and system for managing information using a gateway (i.e. co-marketer,

www.cm.com)(see Fig. 1, units 122) and, the method and system comprising the steps of:

receiving a request to communicate with a network accessible datastore having a particular network address (i.e. clicked on an advertisement on the www sites of co-marketers, col. 5, lines 29-34);

modifying the particular network address of the datastore to incorporate the address of the intermediary gateway device (i.e. first part of destination URL is formed of the destination URL and the second part of a UNIX symbolic link is prepended to the destination filename)(see Fig. 1, unit 128 and col. 5, lines 37-50 and co. 6, lines 1-16) and

providing access to the network addressable datastore through the intermediary gateway device using the modified network address to access the network addressable datastore (i.e. first part of destination URL is formed of the destination URL and the second part of a UNIX symbolic link is prepended to the destination filename)(see Fig. 1, unit 128 and col. 5, lines 37-50 and co. 6, lines 1-16) wherein the gateway controls access to the network addressable datastore (i.e. facilitating communications between a user and OLS (On line Service)(col. 5, lines 19-24).

As to claims 34, 36, 38, 40, 46, 48, 50, and 52, Damico discloses, wherein the modifying step further includes the substep of: modifying the particular network address of the datastore to include the address of the intermediary gateway device (i.e. first part of destination URL is formed of the destination URL and the second part of a UNIX

Art Unit: 3691

symbolic link (from the URL address of the co-marketer) is prepended to the destination filename)(see Fig. 1, unit 128 and col. 5, lines 37-50 and co. 6, lines 1-16).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Pat. No. 5,812,769 discloses a system for tracking referrals from co-marketers.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Kalinowski, whose telephone number is (571) 272-6771. The examiner can normally be reached on Monday to Friday from 10:00 AM to 6:30 PM. If any attempt to reached the examiner by telephone is unsuccessful, the examiner's supervisor, Alexander Kalinowski, can be reached on (571) 272-6771. The fax telephone number for this group is (571) 273-8300 (for official communications including After Final communications labeled "Box AF").

/Alexander Kalinowski/

Supervisory Patent Examiner

Art Unit 3691